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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

10 CASE NO. CR02-17 RSM

11 Plaintiff,

12 v.

13 KAMAU CURNAL,

14 Defendant.

15 PROPOSED FINDINGS OF
16 FACT AND DETERMINATION
17 OF VIOLATIONS OF SUPERVISED
18 RELEASE AND ORDER OF
19 DETENTION

20 INTRODUCTION

21 I conducted a hearing on alleged violations of supervised release in this case on December 5, 2005. The United States was represented by Ron Friedman. The defendant was represented by Thomas Campbell. The proceedings were recorded on disk.

22 CONVICTION AND SENTENCE

23 Defendant had been convicted of Conspiracy to Distribute MDMA(Ecstacy) on or about October 25, 2005. The Hon. Ricardo S. Martinez of this court sentenced Defendant to 30 months of confinement, followed by 3 years of supervised release.

24 The conditions of supervised release included requirements that defendant comply with the standard 13 conditions.

25 DEFENDANT'S ADMISSION

26 USPO Michael Larsen alleged that Defendant violated the conditions of supervised release

1 in two respects:

2 (1) Using marijuana on or before August 2, 2005; August 3, 2005; August 9, 2005;
 3 September 29, 2005; October 11, 2005 and October 13, 2005, in violation of standard
 4 condition number seven.

5 (2) Failing to report for drug testing as instructed on August 23, 2005, in violation of
 6 supervised release requiring participation, as instructed by the probation officer, in a
 7 program approved by the probation office for treatment of narcotic addition, drug
 8 dependency or substance abuse, which may include testing to determine if the
 9 defendant has reverted back to drugs or alcohol.

10 At an initial hearing, I advised the defendant of these charges and of his constitutional rights. At
 11 today's hearing Defendant admitted the violations numbered one and two, waived any hearing as
 12 to whether it occurred, and consented to having the matter set for a disposition hearing before the
 13 Hon. Ricardo S. Martinez

14 RECOMMENDED FINDINGS AND CONCLUSIONS

15 Based upon the foregoing, I recommend the court find that Defendant has violated the
 16 conditions of his supervised release as alleged and set the matter for a disposition hearing.

17 Defendant has been **detained** pending a final determination by the court.

18 DATED this 5th day of December, 2005.

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22 MONICA J. BENTON
 23 United States Magistrate Judge

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 25 cc: Sentencing Judge : Hon. Ricardo S. Martinez
 26 Assistant U.S. Attorney : Ron Friedman
 27 Defense Attorney : Michael Larsen
 28 U. S. Probation Officer : Michael Larsen